



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,806	12/21/2001	Rainer Bader	Q67631	4483

7590

06/16/2004

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3213

EXAMINER

HAROLD, JEFFEREY F

ART UNIT	PAPER NUMBER
----------	--------------

2644

DATE MAILED: 06/16/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,806

Applicant(s)

BADER, RAINER

Examiner

Jefferey F Harold

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. ***Claims 1-3 and 7-10*** are rejected under 35 U.S.C. 102(b) as being anticipated by Hylton et al. (United States Patent 5,630,204), hereinafter referenced as Hylton.

Regarding **claim 1**, Hylton discloses customer premise wireless distribution of broadband signals over power lines. In addition, Hylton discloses a facility for an end customer for generating a connection between a telecommunications network of a network operator and an in-house power supply network of the end customer for rendering possible the transmission of telecommunication signal via the in-house power supply network of the end customer, as disclosed at column 10, line 1 through column 11, line 40 and exhibited in figures 4-7.

Regarding **claim 2**, Hylton discloses everything claimed as applied above (see claim 1), in addition, Hylton discloses wherein the filter comprises a filter for forwarding the telecommunications signals and for inherently blocking DC signals and the filter is connected between the telecommunications network and the in-house power supply

Art Unit: 2644

network, as disclosed at column 10, line 1 through column 11, line 40 and exhibited in figures 4-7.

Regarding **claim 3**, Hylton discloses everything claimed as applied above (see claim 1), in addition, Hylton discloses wherein the facility comprises an inherent filter for blocking telecommunication signals and for forwarding AC signals and the filter is connected between the in-house power supply network of the end customer and a power supply network of a power network operator, as disclosed at column 10, line 1 through column 11, line 40 and exhibited in figures 4-7.

Regarding **claim 6**, Hylton discloses everything claimed as applied above (see claim 1), in addition Hylton discloses wherein the facility is designed as telecommunication exchange with a telecommunications interface to the in-house power supply network of the end customer, as disclosed at column 10, line 1 through column 11, line 40 and exhibited in figures 4-7.

Regarding **claims 7-10**, Hylton discloses everything claimed. In addition, claims 7-10 are interpreted and thus rejected for the reasons set forth above in the rejection of claims 1-3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. ***Claims 4 and 5*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hylton in view of well know prior art (MPEP 2144.03).

Regarding **claims 4 and 5**, Hylton disclose everything claimed, as applied above, (see claims 2 and 3), however, Hylton fails to disclose specific frequencies for the band of the filters. However, the examiner takes official notice of the fact that it was well know in the art to provide specific frequencies for the band of the filters.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hylton by specifically providing specific frequencies for the band of the filters, for the purpose of channel separation and reduction of interference.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F Harold whose telephone number is 703-306-5836. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2644

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JFH
June 10, 2004

Jefferey F Harold
Examiner
Art Unit 2644